

**CITY COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND**

**Ordinance No.:** O-15-05  
**Introduced by:** City Council  
**Date Introduced:** January 5, 2015  
**First Reading:** January 5, 2015  
**Second Reading:** January 12, 2015  
**Date Adopted:** January 12, 2015  
**Date Effective:** February 9, 2015

**AN ORDINANCE concerning**

**CHAPTER 30 – PERSONNEL APPEALS BOARD**

**FOR** the purpose of amending Chapter 30 – Personnel Appeals Board of the Code of the City of Seat Pleasant regarding the appointment and approval of members of the Personnel Appeals Board and generally relating to the Personnel Appeals Board of the City of Seat Pleasant.

**BY** amending Chapter 30 – Personnel Appeals Board  
Section 30-1 Appointment  
Code of the City of Seat Pleasant (1994 Edition, as amended)

**SECTION 1. BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that Chapter 30 (Personnel Appeals Board), § 30-1 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it is hereby repealed in its entirety and replaced with a new § 30-1, to read as follows:

**§ 30-1. PERSONNEL APPEALS BOARD.**

**THERE IS A CITY OF SEAT PLEASANT PERSONNEL APPEALS BOARD THAT CONSISTS OF AT LEAST FIVE MEMBERS APPOINTED BY THE MAYOR AND CONFIRMED BY THE AFFIRMATIVE VOTE OF A MAJORITY OF THE CITY COUNCIL.**

**SECTION 2. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that Chapter 30 (Personnel Appeals Board), § 30-2 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it is hereby amended to read as follows:

A member of the Personnel Appeals Board shall not be an employee **OR ELECTED OR APPOINTED OFFICIAL** of the City of Seat Pleasant or a member of any other committee, board or subcommittee of the City ((of Seat Pleasant or an elected or appointed official of the City)).

- A. Anyone appointed under ((§ 30-2)) **§ 30-1** of this chapter shall serve at the pleasure of the Mayor and Council.
- B. The Board shall consist of at least five members.

**SECTION 3. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that Chapter 30 (Personnel Appeals Board), § 30-3 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it is hereby repealed in its entirety and replaced with a new § 30-3, to read as follows:

**§ 30-3. APPOINTMENT AND TERMS OF OFFICE.**

- A. THE MAYOR SHALL, WITHIN 45 DAYS OF TAKING OFFICE OR FROM THE EXPIRATION OF A MEMBER'S TERM, AS APPLICABLE, SUBMIT THE NAMES OF FIVE QUALIFIED CANDIDATES, INCLUDING A CHAIRPERSON, TO THE CITY COUNCIL FOR REVIEW AND CONFIRMATION.**
- B. THE CITY COUNCIL MUST ACT ON ALL CANDIDATES SUBMITTED BY THE MAYOR AT THE COUNCIL'S NEXT REGULAR MEETING AFTER THE NAMES ARE SUBMITTED. IF A PROPOSED CANDIDATE IS NOT CONFIRMED BY THE COUNCIL AT ITS NEXT REGULAR MEETING, THE CANDIDATE SHALL BE DEEMED REJECTED, AND THE MAYOR SHALL SUBMIT A NEW PROPOSED CANDIDATE WITHIN THIRTY BUSINESS DAYS AFTER THE COUNCIL MEETING. IF THE MAYOR DOES NOT FORWARD PROPOSED CANDIDATES TO THE CITY COUNCIL WITHIN THE TIME REQUIRED, THE CITY COUNCIL SHALL FILL SUCH VACANCIES, FOR WHICH MEMBERS OF THE CITY COUNCIL SHALL SUBMIT NAMES OF PROSPECTIVE CANDIDATES TO THE COUNCIL PRESIDENT WITHIN 30 BUSINESS DAYS AFTER THE COUNCIL MEETING.**
- C. THE CHAIRPERSON SHALL SIT FOR A TERM OF TWO YEARS FROM THE DATE OF HIS/HER APPOINTMENT. ALL OTHER MEMBERS SHALL SIT FOR A TERM OF ONE YEAR FROM THE DATE OF THEIR APPOINTMENT.**

**SECTION 4. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that Chapter 30 (Personnel Appeals Board), § 30-4 of the Code of the City of Seat Pleasant (1994 Edition, as amended) be and it is hereby repealed in its entirety and replaced with a new § 30-4, to read as follows:

**§ 30-4. Vacancies.**

**IN THE EVENT ANY MEMBER VACATES HIS OR HER OFFICE PRIOR TO THE EXPIRATION OF HIS OR HER TERM, THE MAYOR SHALL SUBMIT A PROPOSED QUALIFIED CANDIDATE WITHIN FIVE DAYS TO BE REVIEWED AND APPROVED BY THE CITY COUNCIL AT ITS NEXT REGULARLY SCHEDULED MEETING. IF THE MAYOR DOES NOT SUBMIT SUCH A CANDIDATE, THEN THE CITY COUNCIL SHALL SUBMIT THREE PROPOSED QUALIFIED CANDIDATES TO THE COUNCIL PRESIDENT WITHIN 30 DAYS. THE CANDIDATE APPOINTED SHALL FILL THE REMAINDER OF HIS OR HER PREDECESSOR'S TERM.**

**SECTION 5. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that all other ordinances or parts of ordinances or provisions of the Code of the City of Seat Pleasant (1994 Edition, as amended) in conflict with the provisions of this Ordinance or the property maintenance code adopted by this Ordinance are hereby repealed to the extent of such inconsistency.

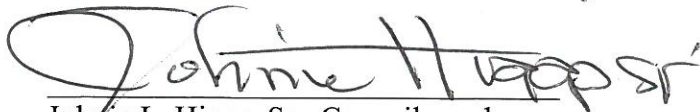
**SECTION 6. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that the title of this Ordinance, or a condensed version thereof, shall be deemed to be, and is, a fair summary of this Ordinance for publication and all other purposes.

**SECTION 7. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that, if any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court or competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance, it being the intent of the City Council that this Ordinance shall stand, notwithstanding the invalidity of any section, subsection, sentence, clause, phrase or portion hereof.

**SECTION 8. AND BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF SEAT PLEASANT** that the City Clerk shall certify to the adoption of this ordinance, and cause the same or, to the extent permitted by the Charter, a fair summary of the same, to be published as required by law, and that this Ordinance shall become effective at the expiration of twenty (20) days following approval by the Mayor or passage by the City Council over the Mayor's veto.

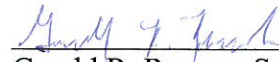
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**CITY COUNCIL OF THE CITY OF SEAT PLEASANT**

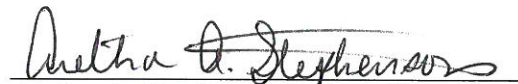
  
Johnnie L. Higgs, Sr., Councilmember

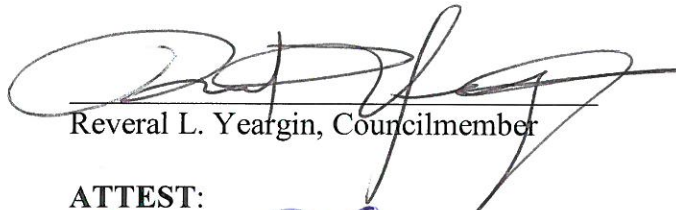
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Eugene F. Kennedy, Councilmember

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Kelly Porter, Councilmember


  
Gerald R. Raynor, Sr., Councilmember

  
Elenora Simms, Councilmember

  
Aretha A. Stephenson, Councilmember

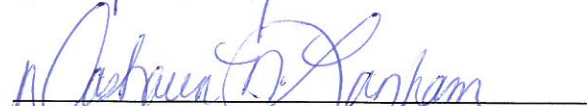
  
Reveral L. Yeargin, Councilmember

**ATTEST:**

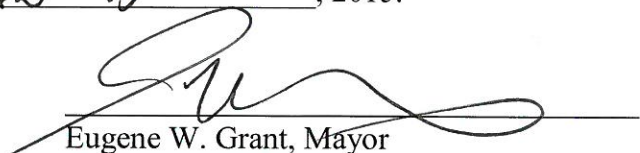
  
Dashaun N. Lanham, CMC  
City Clerk

**APPROVED:**

This Ordinance was presented to the Mayor for his approval or disapproval pursuant to Section C-313 of the Charter for Seat Pleasant this 12<sup>th</sup> January, 2015

  
Dashaun N. Lanham, CMC  
City Clerk

In accordance with Section C-313 of the Charter for Seat Pleasant, I hereby **(APPROVE)** **(DISAPPROVE)** of this Ordinance this Jan 15, 2015.

  
Eugene W. Grant, Mayor

**EXPLANATION:**

**BOLD FONT CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.